



**CITY DEVELOPMENT DEPARTMENT
ZONING BOARD OF ADJUSTMENT MEETING MINUTES
CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL
DECEMBER 10, 2012
1:30 P.M.**

Meeting called to order at 1:35p.m.

The following Board Members answered roll call:

Mr. Robert Concha, Jr., Chairman
Mr. Sam Barela
Mr. Ken Gezelius
Mr. Scott Walker
Mr. Rick Cordova
Mr. Jeff Gonzalez
Mr. Lamar Skarda
Mr. Michael Bray

The following City Staff were present:

Ms. Linda Castle, City Development Department, Planning
Mr. Juan Estala, City Development Department, Building Permits & Inspections, Chief Plans Examiner
Ms. Kristen Hamilton, City Attorney's Office, Assistant City Attorney

CHANGES TO THE AGENDA

*The Representative for Item 1., Mr. Eric Madrigal, was not present in the audience.
Ms. Castle suggested Board Members move Item 1. after Item 2.*

Mayor

John F. Cook

City Council

District 1

Ann Morgan Lilly

District 2

Susie Byrd

District 3

Emma Acosta

District 4

Carl L. Robinson

District 5

Dr. Michiel R. Noe

District 6

Eddie Holguin Jr.

District 7

Steve Ortega

District 8

Cortney Carlisle Niland

City Manager

Joyce A. Wilson

Two Civic Center Plaza
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(915) 541-4290





MOTION:

Motion made by Mr. Cordova, seconded by Mr. Bray AND UNANIMOUSLY CARRIED TO MOVE ITEM 1. AFTER ITEM 2.

ITEM 1:

PZBA12-00041 5798 Dalhart Drive Jose E. and Gloria O. Martinez
Applicants request a Special Exception under Section 2.16.050 J (Carport over a Driveway) in an R-3 (Residential) zone. This would permit a new 26' by 11'5" (296 square feet) carport located to within 14 feet of the front property line in an R-3 (Residential) zone district. The required front and rear yard cumulative setback total is 50 feet in the R-3 zone district. The applicants are requesting a carport that will encroach in the required front yard setback. The carport will match the existing house in materials and design and will rise no higher than the house. There is no utility easement at the front property line. Building Permits & Inspection has provided written approval of the structural drawings. **STAFF RECOMMENDATION IS FOR APPROVAL OF THE REQUEST AS IT MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION J.**

Mr. Eric Madrigal, Representative, was not present; therefore, Board Members moved to postpone Item 2. to the next ZBA meeting.

MOTION:

Motion made by Mr. Gonzalez, seconded by Mr. Gezelius AND UNANIMOUSLY CARRIED TO TABLE PZBA12-00041 TO THE NEXT ZBA MEETING.

Ms. Castle noted the next ZBA meeting will be held Monday, January 14, 2013.

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ITEM 2:

PZBA12-00043 1731 Myrtle Avenue Ronald L. and Ronnie S. Vandagriff
Applicants request a Special Exception under Section 2.16.050 K (15 years or more) in an M-1 (Manufacturing) zone. This would allow existing structures located to 0 feet of the side street and rear property lines. In the M-1 zone district, the required side street yard setback is 10 feet and the required rear yard setback is 10 feet. The owners are selling this property and requesting to legalize its current condition with portions of structures built to 0' of the side street property line and to 0' of the rear property line. The owners purchased the property in 1997 (see enclosed warranty deed). The 1996 aerial (16 years ago) shows the property existing then as it exists today. The portion of the structure built to 0' of the front property line has been registered as legally nonconforming, existing in the 1956 aerial. **STAFF RECOMMENDATION IS FOR APPROVAL AS THE REQUEST MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION K.**

Ms. Castle gave a PowerPoint presentation and noted Staff did not receive any phone calls, letters or emails in favor of or in opposition to the request.

Mr. Vandagriff, applicant, was present and explained the railroad railing in the rear of the property was abandoned; however, the property owner on Texas Avenue does use it as a delivery route. He explained that the bank, used by the prospective owner, required this action to legalize the property.

MOTION:

Motion made by Mr. Cordova, seconded by Mr. Walker AND UNANIMOUSLY CARRIED TO APPROVE.

Other Business

3. Approval of Minutes: November 12, 2012

Chairman Concha asked if Board Members had any additions/corrections/revisions to the minutes. There was no response.

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MOTION:

Motion made by Mr. Gonzalez, seconded by Mr. Gezeliuss AND UNANIMOUSLY CARRIED TO APPROVE THE NOVEMBER 12, 2012 MEETING MINUTES.

ABSTAIN: Messrs. Gezeliuss and Bray

MOTION:

Motion made by Mr. Gezeliuss, seconded by Mr. Skarda AND UNANIMOUSLY CARRIED TO ADJOURN THE MEETING AT 1:47 P.M.

Linda Castle, Senior Planner

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